

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	
)	Case No. 1:11-CR-103
)	
v.)	
)	COLLIER/CARTER
LARRY GIBBY)	
)	

ORDER

Magistrate Judge William B. Carter filed a report and recommendation recommending the Court: (1) grant Defendant's motion to withdraw his not guilty plea to all counts of the three-count Indictment; (2) accept Defendant's plea of guilty to all counts of the Indictment; (3) adjudicate Defendant guilty of the charges set forth in all counts of the Indictment; and (4) find Defendant shall remain in custody until sentencing in this matter [Court File No. 19]. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with the magistrate judge's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation [Court File No. 19] pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

- (1) Defendant's motion to withdraw his not guilty plea to all counts of the Indictment is **GRANTED**;
- (2) Defendant's plea of guilty on all counts of the Indictment is **ACCEPTED**;
- (3) Defendant is hereby **ADJUDGED** guilty of the charges set forth in all counts of the Indictment;
- (4) Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **Thursday, September 28, 2012 at 2:00 p.m.** before the

Honorable Curtis L. Collier.

SO ORDERED.

ENTER:

/s/
CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE